



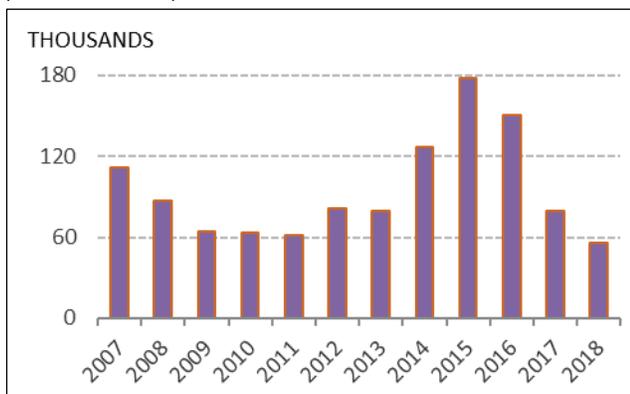
August 1, 2018

Mexico's Immigration Control Efforts

Background

In 2014, the United States and Mexico experienced a surge in unauthorized migration from Central America, a region that has overtaken Mexico as the primary source for immigrants apprehended at the U.S.-Mexican border. With U.S. support, Mexico has since increased its immigration control efforts. From 2015 to 2017, Mexico apprehended more than 450,000 migrants and asylum seekers from the “northern triangle” countries (El Salvador, Guatemala, and Honduras; see **Figure 1**). As at the U.S. southwest border, Mexico's apprehensions of migrants from the northern triangle fell in 2017 but increased by 57% in the first half of 2018 as compared to that period last year.

Figure 1. Apprehensions of Migrants and Asylum Seekers in Mexico from the Northern Triangle (2007- mid-2018)



Source: Created by CRS with information from Mexico's Secretariat of Government (SEGOB).

Notes: Figures include January-June 2018.

Mexico has received U.S. assistance for its immigration control efforts through the Mérida Initiative, a bilateral partnership launched in 2007 for which Congress has appropriated nearly \$2.9 billion. Mexico also has received support for its humanitarian protection program through U.S. Migration and Refugee Assistance (MRA), implemented by the U.N. High Commissioner for Refugees (UNHCR) and others. Some U.S. policymakers have praised Mexico's immigration control efforts. Others have questioned Mexico's ability to protect migrants from abuse and to provide asylum to those in need of protection.

Concerns about Mexico's asylum system have increased as the Trump Administration reportedly has sought to have Mexico absorb U.S.-bound asylum seekers who transit its territory. Negotiations and migration cooperation may shift after Mexico's president-elect, Andrés Manuel López Obrador, takes office on December 1, 2018. López Obrador has pledged to work with the United States on migration issues but has suggested a focus on addressing root causes

of illegal migration from southern Mexico and Central America through development programs.

Mexico's Southern Border Plan

In July 2014, Mexican President Enrique Peña Nieto announced a new Southern Border Plan. The plan aimed to increase security at 12 ports of entry from Guatemala and Belize and along migration routes. It prioritized (1) regular and ordered migration, (2) infrastructure improvements, (3) protection of migrants, (4) regional shared responsibilities (including cooperation with Central America), and (5) interagency coordination. The Mexican government has stated that the best way to stop illegal immigration from Central America is to address the insecurity and lack of opportunities fueling recent migration flows. It cohosted, with the Trump Administration, a conference on boosting investment in Central America in June 2017.

Mexico has established 12 naval bases on the country's rivers, three security cordons stretching more than 100 miles north of the Mexico-Guatemala and Mexico-Belize borders, and a drone surveillance program. Mexico does not have a border police. Instead, its National Institute of Migration (INM) is the only agency with legal authority to detain migrants, with some assistance from the federal police. These unarmed agents have worked to increase immigration control along known migrant routes, including northbound trains and at bus stations. INM has improved the infrastructure at border crossings and created numerous mobile highway checkpoints. It also has increased the number of cases it refers to prosecutors for crimes against migrants. With U.S. support (discussed below), it is seeking to professionalize its workforce and to improve coordination and communication with the federal police, navy, army, and customs agencies.

In addition to increasing law enforcement, the plan aimed to provide basic services for migrants, including medical care, and to facilitate legal migration for tourists and laborers from Guatemala and Belize. Citizens of these countries now have access to short-term visas that allow regular reentry. Visa-processing locations are now located in Guatemala and Belize. Officials also have sought to register those already in Mexico without documentation.

Human Rights Concerns

The State Department's 2018 *Trafficking in Persons* report documents that migrants traveling through Mexico are vulnerable to human rights abuses and human trafficking. According to human rights activists, the increase in checkpoints and raids on northbound trains pushed many migrants to find more clandestine routes. Although the trains are often dangerous, these new routes leave migrants with less access to shelter and may make them more vulnerable to abuse by criminal gangs.

Many human rights groups have expressed concerns that the Southern Border Plan does little to address corruption among police and migration officials. Mexico has made some efforts to improve accountability and integrity among immigration enforcement personnel by dismissing corrupt INM agents. Mexico established a federal special prosecutor to investigate crimes involving migrants in late 2015; a few states also have prosecutors for crimes against migrants. Serious challenges remain, however. A fraction of crimes against migrants have been effectively prosecuted, and internal controls over the INM and security forces remain weak.

INM has more than 400 child protection officers to serve child migrants, but these officers are stretched thin. INM has referred some children to shelters run by Mexico's National System for Integral Family Development (DIF) or by civil society groups. Given capacity constraints, DIF has been unable to house all child migrants who have been in immigration detention centers as required by law.

Humanitarian Concerns

Studies by UNHCR and others have found that half of all children and a sizable proportion of women fleeing the northern triangle may need international protection.

Mexico has a broader definition of *refugee* than the United States. Mexico's 2011 refugee law recognizes a right to asylum based on "generalized violence; foreign aggression; internal conflicts; massive violations of human rights; and other circumstances leading to a serious disturbance of public order." Migrants' rights activists have claimed that INM agents inform very few migrants of the right to request asylum, as required by law, and that asylum, if granted, would enable them to stay in Mexico permanently.

Even with support from UNHCR, Mexico's Commission for the Aid of Refugees (COMAR) has insufficient capacity to process claims. COMAR granted refugee status to 1,426 individuals from northern triangle countries in 2017, up from 880 in 2015. The agency processed 30% of the asylum applications it received, and 48% of approved asylum claims were for Venezuelans (followed by El Salvador with 27.5%). In cases in which a migrant has an asylum application in process or is a witness to or victim of a crime in Mexico (as has happened with many Central American migrants), he or she can receive a humanitarian visa. However, since that visa is valid for only one year, the migrant could face deportation once it expires. In July 2018, the Mexican government announced a 150% budget increase and 84% staffing increase for COMAR.

U.S. Policy

The State Department has allocated more than \$100 million in Mérida Initiative funding to support Mexico's southern border efforts. As of July 2018, the State Department had delivered \$32 million of that assistance, mostly in the form of nonintrusive inspection equipment, mobile kiosks, canine teams, vehicles, and training in immigration enforcement. By late 2018, U.S. funds are expected to have helped build a secure communications network for Mexican agencies in the southern border region. By 2019, U.S. funds aim to help

Mexico collect biometric information that can interface with U.S. databases, at all of its migration stations.

In addition to Mérida Initiative funds, the State Department has provided MRA funding to UNHCR and others. UNHCR estimates that it has used roughly \$8.8 million in unrestricted U.S. funds in FY2016 and \$8 million in FY2017 for programs in Mexico. These funds have supported efforts to improve access to asylum, give legal assistance to asylum seekers, provide alternatives to detention to asylum seekers, and increase the asylum capacity at COMAR.

Developments Under the Trump Administration

Under the Trump Administration, the Mérida Initiative has focused mainly on combating the business model of transnational crime groups. Bilateral cooperation on security and migration issues has continued, despite Mexico's opposition to the Administration's proposed border wall and U.S. "zero tolerance" immigration policies, which resulted in family separations. Reportedly, Mexico has resisted signing a "safe country agreement" with the Administration, which could require asylum seekers who transit Mexico to seek asylum there rather than in the United States. President-elect López Obrador may favor different policy approaches than the Trump Administration and potentially may resist establishing a safe country agreement.

The Administration's FY2019 budget request included \$76.3 million for the Mérida Initiative. The House and Senate Appropriations Committees have approved their respective FY2019 Department of State, Foreign Operations, and Related Programs appropriations measures. The report (H.Rept. 115-829) accompanying the House committee bill (H.R. 6385) recommends providing \$120 million in International Narcotics Control and Law Enforcement (INCLE) aid to Mexico; it does not specify an Economic Support Funds (ESF) amount for Mexico. The report (S.Rept. 115-282) accompanying the Senate committee bill (S. 3108) recommends providing \$163 million in Mérida aid, with \$100 million in INCLE and \$63 million in ESF. S. 3108 stipulates that \$18 million of the ESF provided should be "transferred to, and merged with" funds appropriated under the Migration and Refugee Assistance account and made available to process the asylum applications of Central Americans in Mexico. It further states that "not less than \$3,000,000 shall be made available for assistance to improve the capacity of the COMAR to process such applications."

For related information, see CRS Report R45266, *The Trump Administration's "Zero Tolerance" Immigration Enforcement Policy*, by William A. Kandel; CRS Report R42917, *Mexico: Background and U.S. Relations*; CRS In Focus IF10578, *Mexico: Evolution of the Mérida Initiative, 2007-2019*, by Clare Ribando Seelke.

Clare Ribando Seelke, cseelke@crs.loc.gov, 7-5229